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Docket No.: R2184.0079/P079-A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Teruyasu Watabe

Application No.: 09/851,082

Confirmation No.: 2774

Filed: May 9, 2001

Art Unit: 2653

For: OPTICAL RECORDING/REPRODUCING
APPARATUS

Examiner: A.M. Psitos

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 13 2004

Technology Center 2600

Dear Sir:

✓ In response to the restriction requirement set forth in the Office Action mailed March 12, 2004 (Paper No. 6), applicant hereby provisionally elects claims 1 - 15 for continued examination, with traverse.

✓ The Examiner has required restriction between Claims 1-15, drawing to an optical recording/reproducing apparatus, and having laser power control ability classified in Class 369¹, subclass(47.5), and Claims 16-30, drawn to an optical recording/reproducing apparatus having laser power control during variations in system mode, classified in Class 369, subclass(47.55.)

✓ Applicant traverses the restriction requirement. If the search and examination of an entire application can be made without *serious* burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions. MPEP §

¹ Applicant notes that the reference to Class "36" in the restriction requirement is a typographical error and surmises that Class 369 was intended.

803. Applicant respectfully submits that search and examination of the entire application can be made without serious burden. Even assuming that the present application contains plural independent or distinct inventions, it appears the effort necessary to examine the entire application should not be considered a serious burden. ✓

It is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1 - 30 presently pending in this application be examined. ✓

Dated: April 12, 2004

Respectfully submitted,

By 

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